

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TRAVELERS INDEMNITY COMPANY	)	
OF CONNECTICUT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:20-cv-1839
	)	
TOWNES OF CEDAR RIDGE CONDOMINIUM	)	
ASSOCIATION,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1332, 1441(b), 1446, Defendant, Townes of Cedar Ridge Condominium Association (“Cedar Ridge”), by counsel, hereby files its Notice of Removal for this action to the United States District Court for the Northern District of Illinois, Eastern Division from the Circuit Court of Will County, Illinois, and in support thereof states as follows:

**PROCEDURAL BACKGROUND**

1. On February 21, 2020, Plaintiff, Travelers Indemnity Company of Connecticut, filed a complaint in the Circuit Court of Will County, Illinois, Case No. 20 MR 519, styled *Travelers Indemnity Company of Connecticut v. Townes of Cedar Ridge Condominium Association* (the “Complaint”).

2. The undersigned counsel, on behalf of Cedar Ridge, was provided with a courtesy copy of the Complaint on March 16, 2020. The undersigned counsel was not authorized to accept service on behalf of Cedar Ridge. Moreover, as of March 17, 2020, a summons evidencing service upon Cedar Ridge has not been filed with the Clerk of Court for Will County.

3. Cedar Ridge now files its Notice of Removal, which is timely under 28 U.S.C. § 1446(b).

### **REMOVAL REQUIREMENTS**

4. As described herein, complete diversity jurisdiction of citizenship exists between Plaintiff and Defendant.

5. Jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1332(a)(1).

6. Venue is proper in the United States District Court for the Northern District of Illinois Eastern Division pursuant to 28 U.S.C. § 1446(a), as the state court action originated in Will County, Illinois.

7. In accordance with 28 U.S.C. § 1446(a), a true and legible copy of the Complaint and exhibits thereto, filed in the state court action is attached as Exhibit A.

8. A copy of this Notice of Removal will be filed by Cedar Ridge with the state court where this action is pending promptly after the filing of this Notice of Removal, pursuant to 28 U.S.C. § 1446(d).

9. Upon receiving a file-marked copy of this Notice of Removal, Cedar Ridge will serve a file-marked copy of this Notice of Removal upon counsel for Plaintiff.

### **REMOVAL IS TIMELY**

10. A notice of removal is timely filed when it is filed within 30 days after receipt by the defendant of an initial pleading. 28 U.S.C. § 1446(b)(1).

11. This Notice of Removal is also timely under 28 U.S.C. 1441(b)(2), as Cedar Ridge has not yet been served with a copy of the Complaint in the state court action.

### **AMOUNT IN CONTOVERSY**

12. While the Complaint seeks declaratory relief, the amount in controversy between the parties is in excess of this Court's jurisdictional minimum of \$75,000.

13. The instant action arises from Cedar Ridge's submission of a claim to Travelers for loss and damage to its 40 buildings. More specifically, as alleged in Travelers' Complaint at paragraph 12, Cedar Ridge submitted an estimate to repair/replace the damage for \$2,078,657.08. Thus, the amount in controversy exceeds \$75,000, exclusive of interest and costs.

### **DIVERSITY OF CITIZENSHIP**

14. Under 28 U.S.C. § 1332(a)(1), the district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds \$75,000 and is between citizens of different states.

15. Plaintiff was and is a Connecticut corporation with its principal place of business in Connecticut.

16. Cedar Ridge was and is an Illinois not-for-profit corporation with its principal place of business in Lockport, Illinois.

### **CONCLUSION**

17. This Court has subject matter over the current case as a matter of diversity jurisdiction. This Notice of Removal is timely filed, the amount in controversy exceeds \$75,000, and there is complete diversity of citizenship in this action.

WHEREFORE, Defendant, Townes of Cedar Ridge Condominium Association, prays that the above-entitled cause currently pending in the Circuit Court of Will County, Case No. 20 MR 519 be removed to the United States District Court for the Northern District of Illinois, Eastern Division, and that this cause proceed in this Court as an action properly removed.

/s/ Edward Eshoo, Jr.  
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